

APPENDIX KKK-12-13
June 8, 2009

RESOLUTION NO. 1:6-8-2009

RESOLUTION DECLARING OFFICIAL INTENT
TO REIMBURSE EXPENDITURES
FROM PROCEEDS OF QUALIFIED TAX CREDIT BONDS

WHEREAS, the Madison Metropolitan School District, Dane County, Wisconsin (the "District") plans to undertake the construction, rehabilitation and repair of public school facilities of the District, and the acquisition of related equipment (the "Project");

WHEREAS, the District plans to take the steps necessary to authorize the issuance of general obligation bonds or promissory notes (collectively, the "General Obligation Securities") to pay the cost of the Project;

WHEREAS, the District intends to apply to the Wisconsin Department of Public Instruction for an allocation of qualified tax credit bonds (the "Tax Credit Bonds") and issue all or a portion of the General Obligation Securities as Tax Credit Bonds;

WHEREAS, if any portion of the costs of the Project are expended prior to the issuance of the Tax Credit Bonds, the School Board of the District deems it to be necessary, desirable, and in the best interests of the District to advance moneys from its funds on hand on an interim basis to pay such portion of the costs of the Project prior to the issuance of the Tax Credit Bonds.

WHEREAS, pursuant to Section 54A(d)(2)(D) of the Internal Revenue Code of 1986, as amended (the "Code"), the District may only reimburse itself from proceeds of the Tax Credit Bonds for amounts paid for a qualified purpose;

WHEREAS, only original expenditures paid after the adoption of this Resolution may be reimbursed with the proceeds of the Tax Credit Bonds; and

WHEREAS, the reimbursement must be made not later than 18 months after the date the original expenditure is paid.

NOW, THEREFORE, BE IT RESOLVED by the School Board of the District that:

Section 1. Expenditure of Funds. The District shall make expenditures as needed from its funds on hand to pay the cost of any portion of the Project until proceeds of the Tax Credit Bonds become available.

Section 2. Declaration of Official Intent. The District hereby officially declares its intent pursuant to Section 54A(d)(2)(D) of the Code and as described under Treas. Reg. Section 1.150-2 to reimburse said expenditures with proceeds of the Tax Credit Bonds, the principal amount of which is not expected to exceed \$6,000,000. The District intends to apply to the Wisconsin Department of Public Instruction for an allocation of Tax Credit Bonds.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the portion of the Project expected to be financed by the Tax Credit Bonds from sources other than the Tax Credit Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the District pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. The Resolution shall be made available for public inspection at the office of the District Clerk within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including Subchapter II of Chapter 19, and shall remain available for public inspection until the Tax Credit Bonds are issued.

Section 5. Applicability of Davis-Bacon Act. The District hereby commits to comply with the prevailing wage requirements of subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act) for any portion of the Project to be financed with proceeds of the Tax Credit Bonds.

Section 6. Effective Date. This Resolution shall be effective upon its adoption and approval.

Adopted and recorded June 8, 2009



Arlene Silveira
School Board President

ATTEST:



Maya Cole
School Board Clerk

(SEAL)